

REMARKS

Claims 1-26 are pending. By this Response claims 1 and 14 are amended. Reconsideration and allowance based on the above amendments and below comments are respectfully requested.

General Comments

Applicant notes that this Response was originally filed on June 29, 2004. However, because of USPTO delays in processing responses, particularly After Final Responses, the Response filed on June 29, 2004 has not yet been received by the Examiner and thus remains unexamined. Applicant notes that individuals in the Director's Office and the office in charge of the information file wrappers (IFW) stated that scanning of received responses into the IFW system is six (6) months behind which is the reason for the delay. Applicant submits that the delay has caused applicant to pay further fees such as the extension fees and the fee for filing the RCE which may not have been necessary.

Applicant also notes that the amendments to the claims in the Response raises a new issue in the application. Based on the fact that a new issue is raised and the above-noted USPTO deficiencies, it would not be proper to respond to this Reply with a Final first action.

Interview Summary

Applicant appreciates the courtesies extended to applicant's representative during the interview conducted on June 4, 2004. During the interview the Examiner agreed that Kazemi does not teach the features of the present invention. However, the Examiner stated that the claim language does not clearly define the term "symptom" which should be further defined. The Examiner stated that further defining the term "symptom" in the claims will cause the claims to be distinguished from the teachings of the Kazemi reference.

Applicants note that independent claims 1 and 14 have been amended to further define the term "symptom". The term "symptom" and the term "defect" should now be clearly understood to represent two distinct features.

Prior Art Rejection

The Office Action rejects claims 1-26 under 35 U.S.C. §102(e) as being anticipated by Kazemi, et al. (U.S. Patent No. 6,381,556). This rejection is respectfully traversed.

The Office Action alleges that Kazemi teaches associating symptoms occurring in a system with defects that cause those symptoms. Applicant disagrees.

Kazemi teaches a system for analyzing data from a manufacturing environment. The system collects, classifies and interprets data from the manufacturing process. In the system, defects are associated with a description of

the defect and displayed to an operator. However, the system of Kazemi does not associate symptoms caused by a defect with that particular defect. In fact, Kazemi does not teach or suggest using any type of symptom data.

The Office Action states that “A000-Symptom” and “0131-No light continuity” which are descriptions of defects in the defect description section of Fig. 35 “are represented as symptoms of defects in the defect description entity”. Applicant respectfully submits that such a statement is merely conjecture and is not supported by the description of Fig. 35. At least at column 20, lines 50-53 of Kazemi, Fig. 35 is described as providing a “defect I.D.” and “defect description” for a variety of defects. Nowhere does Kazemi teach or suggest associating a symptom, that is an observable state associated with a defect, with an actual defect, which is the element that causes the observable state.

The fact that a defect in the defined description is indicated as “A000-Symptom” and “0141-no light continuity” does not delegate these items as symptoms. Any term could be used to describe a defect, but as the specification elucidates, Kazemi and particularly Fig. 35, only illustrate defects and defect descriptions which describe the actual defect itself, not symptoms as assumed in the Office Action. Applicant reminds the Examiner that applicant can be their own lexicographer. Therefore, even if the term symptom is used in the figure, it is the meaning of the term as described in the specification that applies and not what is assumed to be the meaning of the term. In Kazemi, these terms are described as representing defects and not symptoms.

Therefore, Kazemi fails to teach, *inter alia*, a symptom data entity storing symptoms, which are observable states indicative of a defect, of manufacturing process defects; a defect data entity storing defects of the manufacturing process; and an action data entity storing repair actions for remedying related defects; said defect data entity being associated with said system data entity and said action data entity being associated with said defect data entity, as recited in claim 1.

Further, Kazemi fails to teach, *inter alia*, storing symptoms, which are observable states indicative of a defect, of manufacturing process defects in a symptom data entity; storing defects of the manufacturing process in a defect data entity; and storing repair actions from remedying related defects in an action data entity, as recited in claim 14.

Thus, Kazemi does not teach each and every feature of the claimed invention as required under 35 U.S.C. §102 rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-26 are distinguishable over the cited patent. Favorable consideration and prompt allowance are earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petitions for a two (2) months extension of time for filing a reply in connection with

the present application, and the required fee of 430.00 is attached hereto with the RCE Transmittal.

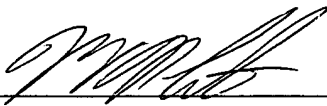
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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MRC/CJB:cb
4450-0237P

Attachment(s)

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